

App. Serial No. 10/531,398
Docket No.: NL 021021 US

Remarks

Claims 1-11 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated July 11, 2006 requested a copy of the abstract on a separate sheet and an amendment to the specification in accordance with 37 C.F.R. § 1.77(b); objected to claims 1 and 11; and listed the following rejections: claims 2-7 and 11 stand rejected under 35 U.S.C. § 102(b) over Knight (IEEE Journal of Solid State Circuits, Vol. 23, No. 2, pgs. 457-464); and claims 8-10 stand rejected under 35 U.S.C. § 103(a) over Knight in view of Graham (U.S. 4,918,336).

Applicant acknowledges and appreciates the allowance of claim 1 by the Office Action.

Regarding the Abstract, Applicant submits on page 6 an amended Abstract and requests entry of this amendment. Applicant also submits a clean copy of the amended Abstract on page 7 as requested by the Office Action.

The priority data in its entirety has been recognized of official record, as demonstrated by the publication of the instant application (U.S. Publication 2005/0285632). Notwithstanding, in an effort to facilitate prosecution, Applicant has amended the specification in accordance with 37 C.F.R. § 1.77(b).

Regarding the objections to claim 1 and 11, Applicant submits that the scope of the claims would be reasonably ascertainable to one skilled in the art. Notwithstanding, in an effort to facilitate prosecution, Applicant has amended claims 1 and 11 for clarification purposes. Applicant has also rewritten claim 11 in independent form, incorporating all of the limitations of claim 2. Therefore, Applicant requests that the objections be removed. Applicant has also made minor amendments to claims 3-6 and 9-10 for clarification purposes; these amendments are not being made to overcome any issues of patentability or the rejections raised in the Office Action.

Applicant respectfully traverses the Section 102(b) rejections of claims 2-7 and 11 because the cited portions of the Knight reference fail to correspond to claimed limitations directed to a fail-safe circuit for producing a fail-safe output signal in case of an open circuit condition of an input pad. The cited portions of the Knight reference do not

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mention producing a fail-safe output signal in case of an open circuit condition of the input (*see, e.g.*, Fig. 11 and pages 461-463). Notwithstanding, in an effort to facilitate prosecution, Applicant has amended claims 2 and 11 to incorporate the limitations that the Office Action cited as the reason for the allowance of claim 1. Specifically, that the fail-safe circuit produces a defined output irrespective of the open circuit condition of the input pad.

As indicated by the Office Action (*see, e.g.*, page 7, lines 14-16), the Knight reference does not teach producing a defined output irrespective of the open circuit condition of the input pad as in the claimed invention. Accordingly, the Section 102(b) rejections of independent claims 2 and 11, as well as the rejections of claims 3-7 that depend from claim 2, are improper and Applicant requests that they be withdrawn.


Applicant traverses the Section 103(a) rejections of claims 8-10 because the Office Action fails to present a combination of references that corresponds to the claimed invention. The Office Action has allowed claim 1 because the Knight reference does not teach or suggest claimed limitations directed to producing a defined output irrespective of the open circuit condition of the input pad. As discussed above, claim 2 has been amended to incorporate these limitations of claim 1. In this regard, the rejections of claims 8-10 are improper because these claims depend from claim 2. Accordingly, Applicant requests that the Section 103(a) rejections of claims 8-10 be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of Philips Corporation at (408) 474-9063.

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